

OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION

STATE OF ILLINOIS
BEFORE THE
ILLINOIS COMMERCE COMMISSION

ORIGINAL

ILLINOIS
COMMERCE COMMISSION

2006 DEC 22 P 2:41

CHIEF CLERK'S OFFICE

ABA Net, LLC)

Application for a Certificate of
Interexchange Authority to Operate)

As a Reseller of Telecommunications
Services in the State of Illinois.)

Docket No.

06-0812

**APPLICATION FOR CERTIFICATE TO BECOME A
TELECOMMUNICATIONS CARRIER**

(Use additional sheets as necessary.)

GENERAL

1. Applicant's Name(including d/b/a, if any)

FEIN # 04-3827345

ABA Net, LLC ("ABA Net" or "Applicant")

Address: Street 11510 Georgia Avenue, Suite 101

City Silver Spring State/Zip MD 20902

2. Authority Requested: (Mark all that apply) 13-403 Facilities Based Interexchange

 X 13-404 Resale of Local and/or Interexchange

 13-405 Facilities Based Local

3. Request for waivers/variances: In applications for local exchange service authority under Sections 13-404 or 13-405, waivers of Part 710 and of Section 735.180 of Part 735 are generally requested. In applications for interexchange service authority under Sections 13-403 and 13-404, waivers of Part 710 and Part 735 are generally requested. Please indicate which waivers Applicant is requesting and explain why Applicant is requesting each waiver/variance.

 X Part 710 Uniform System of Accounts for Telecommunications Carriers

 X Part 735 Procedures Governing the Establishment of Credit, Billing, Deposits, Termination of Service and Issuance of Telephone Directories for Local Exchange Telecommunications Carriers in the State of Illinois – Not applicable to resale interexchange carriers, however, to the extent the Commission determines it is applicable, applicant seeks a waiver.

 X Section 735.180 Directories – Not applicable to resale interexchange carriers,

however, to the extent the Commission determines it is applicable, applicant seeks a waiver.

____ Other

4. For all applicants requesting local exchange authority under Section 13-404 or Section 13-405, please complete the following: Not applicable - Applicant is seeking resale intrastate interexchange authority.
- (a) the Standard Questions for Applicants Seeking Local Exchange Service Authority found in Appendix A of this document
 - (b) the 9-1-1 Questions for Applicants Seeking Local Exchange Service Authority found in Appendix B of this document;
 - (c) the Financial Questions for Applicants Seeking Local Exchange Service Authority found in Appendix C of this document; and
 - (d) if applicable, the Prepaid Service Questions for Applicants Seeking Local Exchange Service Authority found in Appendix D of this document.
5. In what area of the state does the Applicant propose to provide service?

ABA Net proposes to offer services throughout the entire state of Illinois

6. Please attach a sheet designating contact persons to work with Staff on the following:

- a) issues related to processing this application
- b) consumer issues
- c) customer complaint resolution
- d) technical and service quality issues
- e) "tariff" and pricing issues
- f) 9-1-1 issues
- g) security/law enforcement

Please identify each contact person's (i) name, (ii) title, (iii) mailing address, (iv) telephone number, (v) facsimile number, and (vi) e-mail address.

Attached as Exhibit 1

7. Please check type of organization?

____ Individual X Corporation
____ Partnership Date corporation was formed September 28, 2005
 In what state? Maryland
____ Other (Specify)

8. Submit a copy of articles of incorporation and a copy of certificate of authority to transact business in Illinois.

Attached as Exhibit 2 are Applicant's Articles of Organization and a copy of its certificate of authority to transact business in Illinois.

9. List jurisdictions in which Applicant is offering service(s).

Applicant is currently not offering service in any jurisdiction. Applicant has submitted applications to provide service in New York, Kentucky, Iowa, Idaho, Georgia, Texas and Florida. Applicant is in the process of obtaining certification to provide telecommunications services in Connecticut, Maryland, Missouri, Ohio, Pennsylvania, and Vermont.

10. Has the Applicant, or any principal in Applicant, been denied a Certificate of Service or had its certification revoked or suspended in any jurisdiction in this or another name?

_____ YES (Please provide details) X NO

11. Have there been any complaints or judgments levied against the Applicant in any other jurisdiction?

_____ YES X NO

If YES, describe fully. _____

12. Has Applicant provided service under any other name?

_____ YES X NO

If YES, please list. _____

13. Will the Applicant keep its books and records in Illinois? _____ YES X NO

If NO, permission pursuant to 83 Ill. Adm Code Part 250 needs to be requested.

MANAGERIAL

14. Please attach evidence of the applicant's managerial and technical resources and ability to provide service. This may be in either narrative form, resumes of key personnel, or a combination of these forms. **Attached as Exhibit 3.**

15. List officers of Applicant.

Mirsad Causevic, Chief Executive Officer

Gerard C. Flavin, Executive Vice President

Zlatko Hurtic, Chief Financial Officer

Ismet Tralijic, Chief Operational Officer

Haris Causevic, Chief Technical Officer

16. Does any officer of Applicant have an ownership or other interest in any other entity which has provided or is currently providing telecommunications services? _____ YES X NO ?

If YES, list entity. _____

17. How will Applicant bill for its service(s)? (At a minimum, describe how often the Applicant will bill for service and details of the billing statement.)

ABA Net will bill its customers for services on a monthly basis unless otherwise agreed. All bills will be detailed, listing services, features, taxes and surcharges.

18. How does Applicant propose to handle service, billing, and repair complaints? (At a minimum, describe Applicant's internal process for complaint resolution, the complaint escalation process, the timeframe and process by which the customer is notified by Applicant that they may seek assistance from the Commission?)

ABA Net will notify its customers that service, billing, and repair complaints can be filed with and ABA Net customer service representative by dialing ABA Net's toll-free telephone number. ABA Net will handle service, billing, and repair complaints through appropriate processes and resources established and/or retained by ABA Net for that purpose. If a customer is still not satisfied following ABA Net's efforts to resolve the complaint, the customer will be advised that he or she may contact the Illinois Commerce Commission for further resolution.

19. Will personnel be available at Applicant's business office during regular working hours to respond to inquiries about service or billing? ☒ YES ☐ NO

20. What telephone number(s) would a customer use to contact your company?

1 (866) 862-7232

21. Will Applicant abide by all Federal and State slamming and cramming laws pursuant to Section 13-902 of the Public Utilities Act and Section 258 of the 1996 Telecommunications Act?

☒ YES ☐ NO

22. Please describe applicant's procedures to prevent slamming and cramming of customers?

ABA Net will prevent unauthorized switching of customers by obtaining appropriate authorization including, where required, a signed letter of authorization from all new customers. ABA Net will comply with state law and Federal Communication's ("FCC") regulations governing how interexchange carriers change a consumer's Primary Interexchange Carrier.

23. If granted authority to operate as a local exchange carrier, will the applicant abide by the following 83 Illinois Administrative Code Parts: 705, 710, 720, 725, 730, 732, 735, 755, 756, 757, 770, and 772?

☒ YES ☐ NO (If no, please provide an explanation.)

24. Is Applicant aware that it must file tariffs prior to providing service in Illinois?

☒ YES ☐ NO

FINANCIAL

25. Please attach evidence of Applicant's financial fitness through the submission of its most current income statement and balance sheet, or other appropriate documentation of applicant's financial resources and ability to provide service. **Attached as Exhibit 4.**

TECHNICAL

26. Does Applicant utilize its own equipment and/or facilities? ☐ YES ☒ NO

If YES, please list the facilities Applicant intends to utilize. Also include evidence that Applicant possesses the necessary technical resources to deploy and maintain said facilities:

If NO, which facility provider(s)'s services does the Applicant intend to use?

Including, but not limited to, Global Crossing.

27. Please describe the nature of service to be provided (e.g., operator services, internet, debit cards, long distance service, data services, local service, prepaid local service).

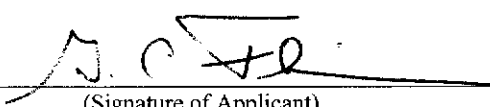
ABA Net proposes to offer resold interexchange long distance telephone services to customers throughout Illinois. Services that ABA Net plans to offer include, but are not limited to, MTS outbound service, In-bound 8XX, and Travel Card service. Additional services may be offered as business and customer needs dictate, consistent with the Commission's authorization and requirements. ABA Net does not intend to deploy any facilities in Illinois for the purpose of providing interexchange service. Rather, ABA Net will purchase from, and utilize the facilities of, facilities-based long distance providers currently operating in Illinois. Moreover, the technology that will be utilized to complete interexchange calls is that used by the underlying facilities-based providers which could be a combination of technologies, including traditional circuit switching as well as packet switching (e.g., Internet Protocol-based). Services will be offered twenty-four hours a day, seven days a week.

28. Will technical personnel be available at all times to assist customers with service problems?

☒ YES ☐ NO

29. If Applicant intends to provide payphone service, will the equipment utilized comply with FCC requirements and Finding (9) of the Commission Order entered in Docket No. 84-0442 on June 11, 1986, including, but not limited to: (a) touch dialing; (b) access to 9-1-1 and "0" operator dialing without use of a coin; (c) rules governing use of payphones by disabled persons; (d) ability to complete local and long-distance calls; (e) unlimited duration for local calls; and (f) a message explaining the telephone's general operations, dialing instructions for emergency assistance, payphone owner's name, method of reporting service problems and method of receiving credit for faulty calls? ☐ YES ☐ NO

Not Applicable


(Signature of Applicant)

VERIFICATION

This application shall be verified under oath.

OATH

State of Texas

)

) ss

County of Gillespie

)

Gerard C. Flavin makes oath and says that he is Executive Vice President of ABA Net, LLC that he has examined the foregoing application and that to the best of his knowledge, information, and belief, all statements of fact contained in the said application are true, and the said application is a correct statement of the business and affairs of the above-named applicant in respect to each and every matter set forth therein.

Gerard C. Flavin
Gerard C. Flavin

Subscribed and sworn to before me, a Notary Public/

Notary
(Title of person authorized to administer oaths)

In the State and County above named, this 14 day of December, 2006.

Peggy Dodds
(Signature of person authorized to administer oath)

